

FILED 10 JAN 25 9 137USDC-ORP

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**MICHAEL SCHMITT** dba MICHAEL  
SCHMITT PHOTOGRAPHY, an  
individual,

Civil Case No. 09-380-HU

**O R D E R**

Plaintiff,

v.

**VAG GROUP, INC.**, a foreign corporation  
and **VAG PERFORMANCE, LLC**, a foreign  
limited liability company,

Defendant.

---

Michael Schmitt  
Michael Schmitt Photography  
1420 NW Lovejoy, Unit 627  
Portland, Oregon 97209

Pro Se Plaintiff

KING, Judge:

The Honorable Dennis J. Hubel, United States Magistrate Judge, filed Findings and Recommendation on December 3, 2009. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Hubel's Findings and Recommendation dated December 3, 2009 in its entirety.

IT IS HEREBY ORDERED that plaintiff's motion for default judgment (#10) is GRANTED. Plaintiff is awarded \$2,450.00 per image for defendant's willful infringement of plaintiff's photographs (\$490 per image multiplied by five for willfulness), for a total monetary award of \$9,800.00 (four images multiplied by \$2,450.00). Plaintiff's request for injunctive relief is GRANTED, as is his request for an award of reasonable attorney's fees and costs.

DATED this 25<sup>th</sup> day of January, 2010.

  
GARR M. KING  
United States District Judge